

REMARKS

Claims 1-6, 9-28, 32-41 and 45-57 are pending in this application.

Claim 32 has been amended by the present Amendment. Amended claim 32 does not introduce any new subject matter.

CLAIMS 56 AND 57

The Examiner has not specified any statutory rejection of claims 56 and 57, nor indicated any reasons as to why claims 56 and 57 are rejected. Accordingly, Applicant submits that the Examiner has failed to make a *prima facie* case of anticipation and/or obviousness of claims 56 and 57, and respectfully requests that the Examiner do so in the next office action, or allow claims 56 and 57.

REJECTIONS UNDER 35 U.S.C. § 103

Reconsideration is respectfully requested of the rejection of (1) claims 1-6, 9-15, 18-25, 28, 32-41 and 45-54 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Pub. No. 2002/0003571 ("Schofield") in view of WO 02/073964 ("Wong"), and further in view of U.S. Patent Application Pub. No. 2004/0094588 ("Klein"); and (2) claims 16-17, 26-27 and 55 under 35 U.S.C. § 103(a) as being unpatentable over Schofield in view of Wong.¹

Claims 1 and 23 recite, *inter alia*, at least one strap that passes through a groove formed by a front wall and a back wall of the video display device, wherein top and bottom sides of the video display device connect the front and back walls to each other, and the top and bottom sides include respective holes therein for receiving the at least one strap therethrough.

¹ Applicant notes that it appears that the Examiner should have also included Klein in the rejection of claims 16-17, 26-27 and 55 since Klein was deemed necessary to reject the independent claims from

Claim 32 recites, *inter alia*, that the membrane includes a flap that is opened to provide an opening between one of the top, bottom, left and right sides of the body portion and the membrane through which the video display device is placed in the structure, and wherein the flap wraps around part of the body portion to close the opening, wherein the flap is removably fastened to a back wall of the body portion to allow a user to open and close the flap.

Applicant respectfully submits that Schofield, when taken alone, or in combination with Wong and/or Klein does not disclose or suggest the strap configuration or the membrane as claimed.

Claims 1 and 23

Klein Does Not Disclose Top And Bottom Sides That Include Respective Holes Therein For Receiving The At Least One Strap Therethrough

In rejecting claims 1 and 23, the Examiner maintains that Klein, at Fig.2, element 26 and paragraph 0017, teaches the top and bottom sides that include respective holes therein for receiving the at least one strap therethrough.

Applicant disagrees with the Examiner, and traverses the rejection.

Referring, for example, to Fig. 3C of Applicant's disclosure, a strap 15 passes through a groove 17 formed by front and back walls 11 and 12, wherein top and bottom sides include respective holes therein for receiving the strap 15 therethrough.

In contrast to the claimed embodiments, the cited portion of Klein does not show these features. In Klein, the strap 26 is attached to an outside of the accessory 10, and never passes through a hole in either a top or bottom side of the accessory. Indeed, referring to the cited portion of Klein, Applicant does not see any holes in either a top or

which claims 16-17, 26-27 and 55 depend.

bottom side through which a strap passes.

Accordingly, for at least these reasons, Applicant respectfully submits that claims 1 and 23 are patentable over Schofield, when taken alone, or in combination with Wong and/or Klein.

In addition, for at least the reason that claims 2-6 and 9-22 depend from claim 1, and claims 24-28 depend from claim 23, claims 2-6, 9-22 and 24-28 are also submitted to be patentable over the cited references.

Claim 32

The cited references do not disclose or suggest the claimed membrane that includes a flap that is opened to provide an opening between one of the top, bottom, left and right sides of the body portion and the membrane through which the video display device is placed in the structure, and wherein the flap wraps around part of the body portion to close the opening, wherein the flap is removably fastened to a back wall of the body portion to allow a user to open and close the flap.

For example, Applicant's disclosure states that the membrane 125 includes a flap 126 which wraps around a top portion of the body portion 105 and adheres to a back side 112 of the body portion 105 to close the opening between the top side of the body portion 105 and the membrane 125. The flap adheres to the back side 112 with a fastening means capable of being opened and closed. See, e.g., Applicant's disclosure, ¶ 0043, and Figs. 5B-5E.

In contrast to the claimed embodiments, what the Examiner refers to as membranes in Schofield (elements 6730 and 6738 in Fig. 67) do not include the claimed flap that wraps around part of the body portion to close an opening between

one of the top, bottom, left and right sides of the body portion and the membrane, wherein the flap is removably fastened to a back wall of the body portion to allow a user to open and close the flap. Furthermore, the cited portion of Klein (Figs 3 and 4, and paragraph 0021) does not cure this deficiency in Schofield.

Accordingly, for at least these reasons, Applicant respectfully submits that claim 32 is patentable over Schofield, when taken alone, or in combination with Wong and/or Klein.

In addition, for at least the reason that claims 33-41 and 45-55 depend from claim 32, claims 33-41 and 45-55 are also submitted to be patentable over the cited references.

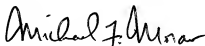
As such, Applicant respectfully requests that the Examiner withdraw the rejections of claims 1-6, 9-28, 32-41 and 45-55 under 35 U.S.C. § 103(a).

DEPENDENT CLAIMS

Applicant has not independently addressed the rejections of all the dependent claims because Applicant submits that, in view of the amendments to the claims presented herein and, for at least similar reasons as why the independent claims from which the dependent claims depend are believed allowable as discussed, *supra*, the dependent claims are also allowable. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicant's Attorney to reach a prompt disposition of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael F. Morano", is written over a horizontal line.

Michael F. Morano
Reg. No. 44,952
Attorney for Applicant

F. CHAU & ASSOCIATES, LLC
130 Woodbury Road
Woodbury, NY 11797
(516) 692-8888